

ELECTRONICALLY FILED

October 9, 2007

STUTMAN, TREISTER &amp; GLATT, P.C.

FRANK A. MEROLA

(CA State Bar No. 136934)

EVE H. KARASIK

(CA State Bar No. 155356)

CHRISTINE M. PAJAK

(CA State Bar No. 217173)

1901 Avenue of the Stars, 12<sup>th</sup> Floor

Los Angeles, CA 90067

Telephone: (310) 228-5600

E-mail: [fmerola@stutman.com](mailto:fmerola@stutman.com)[ekarasik@stutman.com](mailto:ekarasik@stutman.com)[cpajak@stutman.com](mailto:cpajak@stutman.com)

SHEA &amp; CARLYON, LTD.

JAMES PATRICK SHEA

(Nevada State Bar No. 000405)

CANDACE C. CARLYON

(Nevada State Bar No. 002666)

SHLOMO S. SHERMAN

(Nevada State Bar No. 009688)

701 Bridger Avenue, Suite 850

Las Vegas, Nevada 89101

Telephone: (702) 471-7432

E-mail: [jshea@sheacarlyon.com](mailto:jshea@sheacarlyon.com)[ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com)[ssherman@sheacarlyon.com](mailto:ssherman@sheacarlyon.com)

*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )  
☐ All Debtors )  
☐ USA Commercial Mortgage Co. )  
☐ USA Securities, LLC )  
☐ USA Capital Realty Advisors, LLC )  
☐ USA Capital Diversified Trust Deed )  
☒ USA Capital First Trust Deed Fund, LLC )

DATE: September 28, 2007  
TIME: 1:30 p.m.

**NOTICE OF ENTRY OF ORDER SUSTAINING PARTIAL OBJECTION OF USACM  
TRUST TO MARK DANIEL DONNOLO CLAIM FILED IN WRONG DEBTOR'S CASE;  
OBJECTION OF FTDF TO PROPOSED ALLOWANCE OF CLAIM; OBJECTION OF  
DTDF TO PROPOSED ALLOWANCE OF CLAIM**

1 PLEASE TAKE NOTICE that an Order Sustaining Partial Objection of USACM Trust  
2 to Mark Daniel Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed  
3 Allowance of Claim; and Objection of DTDF to Proposed Allowance of Claim was entered on  
4 the 5th day of October, 2007, a true and correct copy of which is attached hereto.

5 DATED this 9<sup>th</sup> day of October, 2007.

6 SHEA & CARLYON, LTD.  
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9 CANDACE C. CARLYON  
10 (Nevada State Bar No. 002666)  
11 SHLOMO S. SHERMAN  
12 (Nevada State Bar No. 009688)  
13 701 Bridger Avenue, Suite 850  
14 Las Vegas, Nevada 89101  
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Case: 06-10725-lbr Doc #: 4934 Filed: 10/05/2007 Page: 1 of 3



Entered on Docket  
October 05, 2007

*L. B. Riegle*

Hon. Linda B. Riegle  
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.  
FRANK A. MEROLA (CA 136934)  
EVE H. KARASIK (CA 155356)  
CHRISTINE M. PAJAK (CA 217173)  
1901 Avenue of the Stars, 12<sup>th</sup> Floor  
Los Angeles, California 90067  
Telephone: (310) 228-5600  
Facsimile: (310) 228-5788  
Email: [fmerola@stutman.com](mailto:fmerola@stutman.com)  
[ekarasik@stutman.com](mailto:ekarasik@stutman.com)  
[cpajak@stutman.com](mailto:cpajak@stutman.com)

Counsel for the Official Committee Of Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

ORRICK, HERRINGTON & SUTCLIFFE LLP  
MARC A. LEVINSON (CA 57613, pro hac vice)  
JEFFERY D. HERMANN (CA 90445, pro hac vice)  
400 Capitol Mall  
Sacramento, California 95814  
Telephone: (916) 447-9200  
Facsimile: (916) 329-4900  
Email: [malevinson@orrick.com](mailto:malevinson@orrick.com)  
[jhermann@orrick.com](mailto:jhermann@orrick.com)

Attorneys for Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☒ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

SHEA & CARLYON, LTD.  
JAMES PATRICK SHEA (NV 000405)  
CANDACE C. CARLYON (NV 002666)  
SHLOMO S. SHERMAN (NV 009688)  
701 Bridger, Suite 850  
Las Vegas, Nevada 89101  
Telephone: (702) 471-7432  
Facsimile: (702) 471-7435  
Email: [jshea@sheacarlyon.com](mailto:jshea@sheacarlyon.com)  
[ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com)  
[ssherman@sheacarlyon.com](mailto:ssherman@sheacarlyon.com)

SNELL & WILMER, LLP  
ROBERT R. KINAS (NV 006019)  
CLAIRE DOSSIER (NV 010030)  
3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, NV 89169  
Telephone: (702) 784-5200  
Facsimile: (702) 784-5252  
Email: [rkinas@swlaw.com](mailto:rkinas@swlaw.com)  
[cdossier@swlaw.com](mailto:cdossier@swlaw.com)

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Order Sustaining Partial Objection of USACM Trust To Mark Daniel Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim; and Objection of DTDF to Proposed Allowance of Claim

Hearing Date: September 28, 2007  
Hearing Time: 1:30 p.m.

1 The Court having considered the Partial Objection of USACM Trust To Mark Daniel  
2 Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of  
3 Claim; and Objection of DTDF to Proposed Allowance of Claim (the "Objection") [Docket No.  
4 4645]; appearances having been noted on the record; adequate notice of the Objection having  
5 been given; there having been no response filed to the Objection; and for good cause appearing:

6  
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10725-  
8 00627 (the "Claim") is partially disallowed against the estate and in the case of USACM to the  
9 extent of any portion of the Claim that purports to be based upon any equity interest of Mark  
10 Daniel Donnolo ("Claimant") in either FTDF or DTDF; and the Claim is further disallowed  
11 against the estates and in the cases of FTDF and DTDF in its entirety.

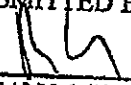
12  
13 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
14 Claimant in these jointly-administered bankruptcy proceedings.

15 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
16 of the equity interest of the Donnolo Trust (as defined in the Objection) in FTDF as reflected in  
17 FTDF's books and records, and as confirmed by this Court's Order entered on March 21, 2007  
18 [Docket No. 3229], which interest is in the amount of \$248,754.

19  
20 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
21 of the equity interest of the Donnolo Trust (as defined in the Objection) in DTDF as reflected in  
22 DTDF's books and records, which interest is in the amount of \$ 48,047.32.

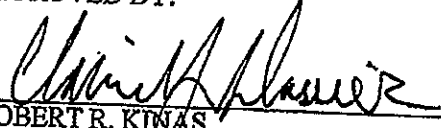
23 IT IS FURTHER ORDERED that nothing in this Order shall prejudice the rights of  
24 USACM to file further objections to the portion of the Claim that does not purport to be based  
25 upon an equity interest held by Claimant in either FTDF or DTDF.  
26

## 1 SUBMITTED BY:

2   
 3 SUSAN M. FREEMAN  
 4 ROB CHARLES  
 5 LEWIS AND ROCA LLP  
 3993 Howard Hughes Parkway, Suite 600  
 Las Vegas, NV 89169-0961

6 *Counsel for USACM Liquidating Trust*  
 7

## 8 APPROVED BY:


9   
 10 ROBERT R. KINAS  
 11 CLAIRE DOSSIER  
 12 SNELL & WILMER, LLP  
 3883 Howard Hughes Parkway, Suite 1100  
 Las Vegas, NV 89169

14 and

15 MARC A. LEVINSON  
 16 JEFFERY D. HERMANN  
 17 ORRICK, HERRINGTON & SUTCLIFFE  
 LLP  
 400 Capitol Mall  
 18 Sacramento, California 95814

19 *Counsel for Post-Effective Date USA Capital*  
 20 *Diversified Trust Deed Fund, LLC*  
 21  
 22  
 23  
 24  
 25  
 26

## APPROVED BY:

  
 FRANK A. MEROLA  
 EVE H. KARASIK  
 CHRISTINE M. PAJAK, Members of  
 STUTMAN, TREISTER & GLATT, P.C.  
 1901 Avenue of the Stars, 12th Floor  
 Los Angeles, CA 90067

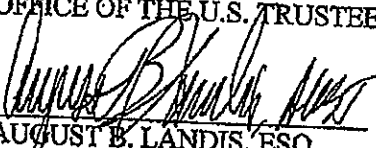
and

CANDACE C. CARLYON  
 SHLOMO S. SHERMAN  
 SHEA & CARLYON, LTD.  
 701 Bridger, Suite 850  
 Las Vegas, NV 89101  
 Telephone: (702) 471-7432

*Counsel for the Official Committee of*  
*Equity Security Holders of*  
*USA Capital First Trust Deed Fund, LLC*

*Approved*  
 REVIEWED:

OFFICE OF THE U.S. TRUSTEE

  
 AUGUST B. LANDIS, ESQ.  
 SCOTT A. FARROW, ESQ.  
 300 Las Vegas Boulevard, Suite 4300  
 Las Vegas, NV 89101

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